

Message Text

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R 181414Z SEP 74

FM SECSTATE WASHDC

TO AMEMBASSY CAIRO

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E.O. 11652: N/A

TAGS: CPRS, EFIN, OTRA, EG, US

SUBJECT: US CLAIMS AGAINST THE EGYPTIAN GOVERNMENT

REF: STATE 186076

1. DEPARTMENT PROPOSES SENDING TO CAIRO AS SOON AS PRACTICABLE AN L REPRESENTATIVE (A) TO DISCUSS AND REVIEW IN DETAIL WITH THE EMBASSY ALL ASPECTS OF NEGOTIATIONS OF USG AND PRIVATE CLAIMS OF US NATIONALS AGAINST THE GOE; (B) TO INITIATE NEGOTIATIONS ON USG CLAIMS, AND (C) CONTEMPORANEOUSLY TO DISCUSS AND REVIEW IN DETAIL WITH THE GOE AND TO AGREE ON DETAILED PROCEDURES AND THE APPLICABLE LAW GOVERNING THE ACTIVITIES OF THE JOINT COMMITTEE ON CLAIMS OF US NATIONALS. DEPARTMENT L REPRESENTATIVE IS AVAILABLE TO LEAVE FOR CAIRO THE WEEK OF OCTOBER 7, 1974.

2. EMBASSY SHOULD INFORM MINISTRY FOR FOREIGN AFFAIRS OR OTHER APPROPRIATE GOE AUTHORITIES OF USG DECISION TO COMMENCE AS SOON AS PRACTICABLE FORMAL DISCUSSIONS AND AGREEMENT ON COMPOSITION AND ORGANIZATION OF JOINT US/GOE
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COMMITTEE FOLLOWED IMMEDIATELY BY SESSIONS OF THE JOINT

COMMITTEE TO NEGOTIATE USG CLAIMS ON A CASE-BY-CASE BASIS, I.E., (A) DEPARTMENT OF AGRICULTURE'S CLAIMS FOR FOOD FOR PEACE; (B) DAMAGE TO PROPERTY OF CONSULATE GENERAL AT ALEXANDRIA; (C) DAMAGE TO USIS LIBRARY IN ALEXANDRIA; (D) DAMAGE TO USG OFFICE BUILDING IN ALEXANDRIA, AND

(E) DAMAGE TO CONSULATE IN PORT SAID. ADDITIONAL USG CLAIMS MAY BE ADDED TO THE LIST LATER. USG PROPOSES THAT USG DELEGATION COMPRISE (A) AMERICAN AMBASSADOR OR HIS DESIGNEE AS CHAIRMAN; (B) L REPRESENTATIVE, AND (C) ONE OR MORE ADDITIONAL EMBASSY REPRESENTATIVES AS APPROPRIATE. GOE DELEGATION WOULD PERHAPS BE SIMILARLY CONSTITUTED. THE FORMAL NEGOTIATIONS COULD BE SEPARATE OR TECHNICALLY UNDER THE AEGIS OF THE JOINT COMMITTEE. USG WOULD SEEK FULL PAYMENT PLUS INTEREST PAYABLE IN US DOLLARS. TERMS OF PAYMENT MAY BE FLEXIBLE AS FALLBACK POSITION. EACH CASE WOULD BE CONSIDERED SEPARATELY SUPPORTED BY SUBSTANTIATING LEGAL DOCUMENTATION. AGREEMENT REACHED ON THE SEVERAL ITEMS WOULD BE SUBJECT TO THE FURTHER FORMAL APPROVAL OF THE TWO GOVERNMENTS.

3. USG PROPOSES THAT CONTEMPORANEOUSLY WITH NEGOTIATIONS ON USG CLAIMS, THE TWO GOVERNMENTS AGREE ON DETAILED PROCEDURES AND THE APPLICABLE LAW GOVERNING THE ACTIVITIES OF THE JOINT COMMITTEE REGARDING PRIVATE CLAIMS. USG WOULD PREFER THAT NUMBER OF MEMBERS OF JOINT COMMITTEE BE KEPT AS SMALL AS POSSIBLE AND THAT THE PROCEDURES BE KEPT AS INFORMAL AND AS SIMPLE AS POSSIBLE CONSISTENT WITH THE EFFECTIVE CONDUCT OF ITS ACTIVITIES. USG WOULD PREFER A LUMP-SUM SETTLEMENT FOR ALL PRIVATE CLAIMS OF US NATIONALS, WITH USG ASSUMING RESPONSIBILITY FOR DISTRIBUTION OF COMPENSATION PAID BY GOE. NEGOTIATIONS ON PRIVATE CLAIMS WOULD COMMENCE AFTER CONCLUSION OF NEGOTIATIONS ON USG CLAIMS. THE USG WOULD LIKE TO RECEIVE FROM THE GOE A COLLECTION OF THE TEXTS OF ALL EGYPTIAN LAWS, DECREES AND ORDERS APPLICABLE TO TAKING OF PROPERTY OF US NATIONALS, WITH ENGLISH TRANSLATIONS IF POSSIBLE. DEPENDING ON DEVELOPMENTS, EACH SIDE SHOULD BEAR ITS COSTS OF THE PROCEEDINGS, AND MAINTAIN ITS OWN MINUTES AND RECORDS. THERE SHOULD BE JOINT INVESTIGATION OF SITES AND PROPLIMITED OFFICIAL USE

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ERTIES IN APPROPRIATE CASES. AGREEMENT REACHED IN THE JOINT COMMITTEE WOULD BE SUBJECT TO THE FURTHER FORMAL APPROVAL OF THE TWO GOVERNMENTS. NEGOTIATING SESSIONS WOULD BE HELD IN CAIRO, UNLESS THEY BECOME UNDULY PROTRACTED, IN WHICH CASE SESSIONS COULD BE HELD ALTERNATELY IN CAIRO AND IN WASHINGTON.

4. EMBASSY'S VIEWS REQUESTED IN PREVIOUS REFTEL AND

ADDITIONAL VIEWS AND COMMENTS AND REACTIONS OF GOE ON
FOREGOING PROPOSALS ARE REQUESTED PROMPTLY AND PRIOR
DEPARTURE OF L REPRESENTATIVE FOR CAIRO. INGERSOLL

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